

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TEXAS**

CRAIG CUNNINGHAM,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Case No. 4:19-cv-00237
QUOGEN, LLC, et al.;)	
)	
Defendants.)	

**DEFENDANT MED-SENSE GUARANTEED ASSOCIATION’S
MOTION TO CONTINUE RULE 16 MANAGEMENT CONFERENCE**

COMES NOW, Defendant Med-Sense Guaranteed Association (the “Defendant”) and moves this Court for a continuance of the June 3, 2019 Rule 16 management conference. In support hereof, the Defendant states as follows:

1. Plaintiff Craig Cunningham filed this case on March 27, 2019.
2. The Defendant filed its Motion to Dismiss [Doc. 15] on April 19, 2019.
3. As of the date of this motion, the remaining defendants have not answered or otherwise responded to the Complaint, nor is there evidence on the docket that they have been properly served.
4. On April 22, 2019, the Court entered the Order Governing Proceedings [Doc. 16]. This order provides that the Rule 16 management conference in this case shall be held on June 3, 2019, and that lead counsel for each party shall be present.
5. The Defendant’s lead counsel, John Elrod, has plans to be on a family vacation on June 3. This vacation has been planned since late 2018.

6. The remaining defendants in this case have not answered or otherwise responded to the Complaint commencing this action. The Defendant's Motion to Dismiss has not yet been adjudicated, and no response has been filed by the Plaintiff.

7. In light of the foregoing, good cause exists for a continuance of the June 3, 2019 Rule 16 management conference. Accordingly, the Defendant respectfully requests a continuance of the conference for a date after June 7, 2019.

8. The Defendant's counsel certifies that he has conferred with the Plaintiff regarding the relief requested in this Motion, and the Plaintiff has consented to the same.

9. A proposed order granting the relief requested herein is attached as Exhibit A.

WHEREFORE, the Defendant respectfully requests (i) that the Court continue the Rule 16 management conference for a date after June 7, 2019 and (ii) such other relief as justice may require.

Respectfully submitted this 23rd day of April, 2019.

GREENBERG TRAURIG, LLP

/s/ John D. Elrod

John D. Elrod (Ga. Bar No. 246604)

Benjamin R. Keck (*Pro hac vice* motion forthcoming)

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Counsel for Med-Sense Guaranteed Association

CERTIFICATE OF SERVICE

I hereby certify that on April 23, 2019, a copy of the foregoing pleading was sent via CM/ECF to all parties on the Court's CM/ECF register identified as receiving electronic mail service in this case, as well as to the Plaintiff by sending a copy by first-class mail to the following address:

Craig Cunningham
3000 Custer Road
Ste. 270-206
Plano, TX 75075

/s/ John D. Elrod
John D. Elrod